

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Amendments to the Specification and Abstract**

The specification and abstract have been reviewed and revised to improve their English grammar. The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

### **II. Title of the Invention**

In accordance with Examiner's request, the title of the invention has been amended. The invention is now titled "METHOD FOR RECORDING INFORMATION TO AND REPRODUCING INFORMATION FROM AN OPTICAL RECORDING MEDIUM BY ADJUSTING A SPOT DIAMETER OF A LASER BEAM, AND A RECORDING AND REPRODUCTION APPARATUS FOR THE SAME"

### **III. Amendments to the Claims**

Claims 12-15 and 17 have been cancelled without prejudice or disclaimer of the subject matter contained therein.

Further, claims 16 and 18 have been amended to independent form and have also been amended to clarify features of the invention recited therein and to further distinguish the present

invention from the references relied upon in the rejections discussed below. Support for these amendments can be found, at least, in the first full paragraph on page 12 of the specification.

It is also noted that claims 16 and 18-22 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

#### **IV. 35 U.S.C. § 102 and 103 Rejections**

Claims 12, 14 and 15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kashihara. Further, claims 13 and 16-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kashihara in view of various combinations of Official Notice and Yamada. The rejections of claims 12-15 and 17 are considered moot in view of the above-mentioned cancellation of claims 12-15 and 17. Further, these rejections are believed clearly inapplicable to amended independent claims 16 and 18 and the claims that depend therefrom for the following reasons.

Amended independent claim 16 recites an apparatus that records and reproduces information by directing a laser beam at an optical recording medium having circular grooves formed in an identification region, wherein a width of the circular grooves in the identification region is less than a width between the circular grooves. Further, claim 16 recites that the apparatus includes, in part, an objective lens arranged to make a spot diameter of the laser beam larger than the width of the circular grooves formed in the identification region and less than the

width between the circular grooves formed in the identification region. Kashihara and Yamada, or any combination thereof, fails to disclose or suggest the above-mentioned distinguishing features as recited in amended independent claim 16.

Rather, Kashihara merely teaches a recording medium having grooves, such that a width of the grooves in an identification region 3 is less than a width between the grooves (see col. 3, lines 40-47 and Figs. 1-3).

Thus, in view of the above, it is apparent that Kashihara teaches that a groove width is less than the width between the grooves, but fails to disclose or suggest the objective lens that makes a spot diameter of the laser beam larger than the width of the circular grooves formed in the identification region and less than the width between the circular grooves formed in the identification region, as required by claim 16.

Now turning to Yamada, Applicants note that Yamada merely teaches that an apparatus is capable of determining whether grooves of an optical recording medium are convex or concave based on signals from a photo detector 17 (see abstract and Fig. 38).

In view of the above, it is evident that Yamada merely teaches determining whether grooves are convex or concave, but fails to disclose or suggest the objective lens that makes a spot diameter of the laser beam larger than the width of the circular grooves formed in the identification region and less than the width between the circular grooves formed in the identification region, as required by claim 16.

Therefore, because of the above-mentioned distinctions it is believed clear that claim 16 is not anticipated by either Kashihara or Yamada, and it is believed clear that claim 16 would not have been obvious or result from any combination of Kashihara and Yamada.

Furthermore, there is no disclosure or suggestion in Kashihara and/or Yamada or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Kashihara and/or Yamada to obtain the invention of independent claim 16. Accordingly, it is respectfully submitted that independent claim 16 is clearly allowable over the prior art of record.

Amended independent claim 18 is directed to a method and recites features that correspond to the above-mentioned distinguishing features of independent claim 1. Thus, for the same reasons discussed above, it is respectfully submitted that independent claim 18 and claims 19-22 that depend therefrom are allowable over prior art of record.

## V. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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